

**MINUTES OF COMMISSIONERS COURT, MOORE COUNTY, TEXAS
SPECIAL SESSION, MONDAY, JANUARY 27, 2020**

**STATE OF TEXAS }
COUNTY OF MOORE }**

BE IT REMEMBERED THAT ON THIS 27TH DAY OF JANUARY, 2020 there came to be held a Special Session of Commissioners Court of Moore County, Texas in the Commissioner's Courtroom of the Courthouse in Dumas, Texas. The following persons were present to wit: Rowdy Rhoades, County Judge, Daniel Garcia, Commissioner Precinct 1; Miles Mixon, Commissioner Precinct 2; Dee Vaughan, Commissioner Precinct 3; Lynn Cartrite, Commissioner Precinct 4; and Brenda McKanna, County Clerk.

Court having been opened according to law the following proceedings were had to wit:

Motion was made by Commissioner Cartrite to approve the minutes of the Regular Meeting of January 13, 2020 as presented. Motion was seconded by Commissioner Garcia. Motion carried.

Motion was made by Commissioner Garcia that the bills be paid as presented by James Allen, County Auditor, be approved for payment and the County Treasurer is hereby directed to issue warrant-checks thereof. Motion was seconded by Commissioner Cartrite. Motion carried.

Brandon Cox, Airport Manager visited with TxDot and they are in agreement to allow the runway repair project to be funded in two different years. In the budget year 2020-21 the cost will be \$143,000.00 and budget year 2021-22 will be the \$69,000.00 for additional repairs.

Motion was made by Commissioner Vaughan to table the purchase of I-Pads for fuel trucks until Brandon Cox, Airport Manager does further research and reports back to the court. Motion was seconded by Commissioner Cartrite. Motion carried.

Brandon Cox, Airport Manager stated that T.J. Steele would like to fertilize the grass at the airport that he has the lease on and use an air way tool to flatten the grass before he cuts it. T.J. Steele is willing to use the air way tool on the airport grass that the employees are responsible for mowing at no cost to the county. He requested the grass lease be extended for an additional two years. The court stated they do not have a problem with extending the lease and will have the County Attorney to prepare an addendum to the lease for approval.

Motion was made by Commissioner Vaughan to approve retiring the Moore county canine due to health issues and award the canine to Lt. Brandon Jones effective immediately. Motion was seconded by Commissioner Mixon. Motion carried.

Motion was made by Commissioner Vaughan to approve using TAC Cyber Security online training course to be completed by all employees who have access to a county computer or database by June 14, 2020 with certification of completion of training to be monitored by the

County Judge's office and the County Treasurer's office. Motion was seconded by Commissioner Mixon. Motion carried.

Motion was made by Commissioner Cartrite to approve the purchase of a drone in the amount of \$4,508.00 with \$2,500.00 to be paid out the EOC Capital Outlay with the remainder to paid out of EOC salary budget. Motion was seconded by Commissioner Vaughan. Motion carried. Copy of invoice attached and made a part hereof by references.

Motion was made by Commissioner Garcia to approve a letter of support for Hutchinson County Community Wildfire Protection Plan. Motion was seconded by Commissioner Mixon. Motion carried. Copy of letter attached and made a part hereof by references.

Motion was made by Commissioner Cartrite to approve a Resolution in Support of the Second Amendment. Motion was seconded by Commissioner Vaughan. Motion carried. Copy of Resolution attached and made a part hereof by references.

Motion was made by Commissioner Vaughan to approve an Interlocal Agreement with Potter County regarding proceeding and costs for Court Ordered Mental Health Services. Motion was seconded by Commissioner Garcia. Motion carried. Copy of Agreement attached and made a part hereof by references.

Motion was made by Commissioner Cartrite to approve the purchase of a computer for the County Clerk's office in the amount of \$820.33 with expenditure to be paid from the County Clerks Records Management Fund. Motion was seconded by Commissioner Vaughan. Motion carried.


Commissioner Garcia presented an amended caliche contract that the county has with Tommy and Valerie Cartrite. He stated when the contract was originally prepared it was not clear on the royalty payments. Under the amended contract \$3,000.00 will be paid annually to Tommy and Valerie Cartrite as a lease fee for the exclusive right to use the caliche pit. Additional terms are to pay the Cartrite's \$1.00 per ton of caliche that the county takes out of the pit or the Cartrite's have the option to take product at the cost of \$10.00 per ton ex: for every 1,000 tons the county takes the Cartrite's have the option to take 100 tons of product or payment of \$1,000.00. Commissioner Garcia stated on behalf of the county he would rather be exchanging product than payment. Commissioner Mixon asked why the Cartrite's haven't been paid a lease payment since 2017 and Scott Higginbotham stated it was just a matter of confusion and it fell through the cracks. Cindy Johnson, Road & Bridge Secretary stated she was told by Wes McDougal and Travis Smith, previous Road & Bridge Supervisors to hold on to the tickets therefore she did not turn in an invoice for payment. Commissioner Mixon visited with the County Attorney to add some additional information to the contract. One of the issues was to limit the amount of caliche the Cartrite's could take out. It was decided that the limit to Mr. Cartrite would be at the discretion of the Road & Bridge Supervisor. Dallas would like for the county employees to load the caliche for the contractors that will be hauling product for Mr. Cartrite due to the fact of safety and IMPSHA. Commissioner Garcia stated most of the contractors like to start by 7:30 and asked if he could have the pit open? Dallas stated he would have it open by 7:30 if they will give him advanced notice. Scott Higginbotham, County Attorney will make the corrections to the contract.

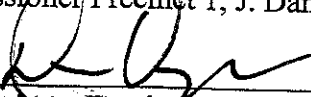
Motion was made by Commissioner Garcia to approve the payment in the amount of \$6,000.00 for the years 2017-18 and 2018-19 for the annual payments for the Cartrite caliche pit. Motion was seconded by Commissioner Vaughan. Motion carried. Commissioner Cartrite "ABSTAINED." Copy of invoice attached and made a part hereof by references.

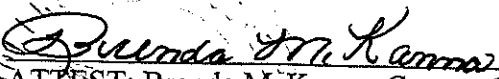
Dallas Green, Road & Bridge Supervisor gave a report on the department. Dallas stated Cade Shoulders would like to be moved to an operator and work with Ernie in Precinct 2. Commissioner Cartrite wanted to note if Cade does take over Precinct 2 at any time if an operator's position comes open in Precinct 4, he would like to be moved back to Precinct 4. Dallas stated that Jimmy Stewart has some interest in moving to Precinct 2. Commissioner Mixon stated if Ernie is retiring, he would like to get his replacement to start training. The department is working one person short and Dallas asked if Ernie retires does the court want to look at replacing him or just wait due to budget constraints? Dallas went through the Texas Smart Buy for gravel and will be getting gravel from Big Creek in Borger and has ordered lava rock from Volcanic Stone. There are two graders up on the buy-back and Dallas would like to get it to where only one grader is replaced per year. Commissioner Cartrite stated his men in Precinct 4 like the John Deere's. On the buyback program the Cats can be on a 10 year buy back and the John Deere's can be on a 7 year buy back. Dallas stated if he trades in a grader early, he can get them on a one per year purchase. Commissioner Cartrite will call Jay West and visit with him in regards to the purchase of the graders. Commissioner Cartrite apologized to the court in regards to missing the discussion on dirt being provided to Valero and made the statement that he doesn't appreciate another commissioner coming into his precinct and doing work. He suggested that Valero get their own trucks and haul the dirt instead of using county personnel and equipment to benefit a corporation. Commissioner Mixon stated he thought it would be a benefit to the county and had them haul the dirt to a TxDot right of way. He stated it was his fault stepping into another Commissioners precinct but Valero had called him personally. Dallas received a call from TxDot and it was stated that Valero should have contacted them about the dirt not the county. Scott Higginbotham, County Attorney stated the county always needs to make sure county property and personnel is being used for county business. There always need to be an Interlocal Agreement in place before helping another entity. It was stated that the dirt was going to be used to cover an exposed gas line which would be a benefit to the safety of the citizens of the county. Commissioner Garcia addressed the court in regards to some information that had been brought to his attention in the past week. He stated when the court gave Dallas the position of Road & Bridge Supervisor it is his job to deal with the employees of the department. Commissioner Garcia is not in favor of anyone calling another person's employee and raising their voice and if anyone has a problem with an employee, they should go to the department head not the employee. Commissioner Mixon received a call from Damon White, a resident of Double Diamond Estates in regards to some abandoned trailers. Judge Rhoades stated there is a policy in place to take care of the abandon trailers for the health and safety of citizens. Mr. White would need to follow the steps that are set in place.

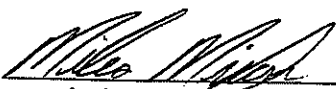
It appears there is no other business to come before the court. Motion was made by Commissioner Cartrite to adjourn. Motion was seconded by Commissioner Garcia. Motion carried.

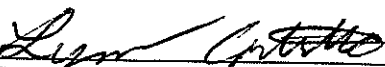
THE ABOVE AND FOREGOING MINUTES HAVING BEEN READ AND APPROVED, IT IS HEREBY ORDERED THAT THEY BE AND ARE HEREBY APPROVED AS PRESENTED.

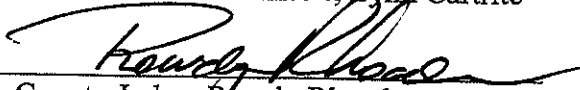

Commissioner Precinct 1, J. Daniel Garcia


Commissioner Precinct 3, Dee Vaughan


ATTEST: Brenda McKanna, County Clerk


Commissioner Precinct 2, Miles Mixon


Commissioner Precinct 4, Lynn Cartrite


County Judge, Rowdy Rhoades

